

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

May 26, 1999
MAG Office - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Neil Giuliano, Tempe, Chairman	Supervisor Don Stapley, Maricopa County
Mayor Thomas Morales, Avondale	Councilmember Dennis Kavanaugh for Mayor
* Mayor Dusty Hull, Buckeye	Wayne Brown, Mesa
Mayor Hugh Stevens, Carefree	Mayor Edward Lowry, Paradise Valley
Mayor Tom Augherston, Cave Creek	* Mayor Skip Rimsza, Phoenix
Mayor Jay Tibshraeny, Chandler	* Mayor John Keegan, Peoria
Mayor Cel Arias, El Mirage	* Mayor Mark Schnepf, Queen Creek
* Mayor Sharon Morgan, Fountain Hills	* President Ivan Makil, Salt River Pima-Maricopa
* Mayor Chuck Turner, Gila Bend	Indian Community
Governor Mary Thomas, Gila River Indian	Mayor Sam Campana, Scottsdale
Community	Mayor Joan Shafer, Surprise
Vice Mayor Larry Morrison for Mayor Cynthia	* Mayor Adolfo Gamez, Tolleson
Dunham, Gilbert	Mayor Dallas Gant, Wickenburg
Mayor Elaine Scruggs, Glendale	Councilmember Eugene Russell for Mayor
Mayor Bill Arnold, Goodyear	Donald J. Needham, Youngtown
* Mayor Frances Osuna, Guadalupe	* F. Rockne Arnett, ADOT
* Mayor Colin Barleycorn, Litchfield Park	Bill Beyer, Citizens Transportation
	Oversight Committee

*Those members neither present nor represented by proxy.

1. Call to Order

The meeting of the Regional Council was called to order by Chairman Neil Giuliano at 5:05 p.m.

2. Pledge of Allegiance

Chairman Giuliano introduced proxies: Vice Mayor Larry Morrison for Mayor Cynthia Dunham from Gilbert, Councilmember Dennis Kavanaugh for Mayor Wayne Brown from Mesa, and Councilmember Eugene Russell for Mayor Donald Needham from Youngtown.

Chairman Giuliano announced that MAG was awarded the Certificate for Excellence in Financial Reporting in recognition for efforts on Comprehensive Annual Financing Report from the Government Finance Officers Association. He mentioned that very few COGs have ever received this award. Chairman Giuliano presented the award to Mr. Bourey and Mr. Rullo.

Chairman Giuliano announced that parking validation is available from MAG staff for the Norwest garage only. He said that the RPTA has generously agreed to provide transit tickets for individuals who use the bus to get to the Regional Council meeting. He stated that tickets are available following the meeting from Ken Driggs of the RPTA.

Chairman Giuliano stated that agenda item #4 would be taken next, since a quorum was not yet present.

4. Call to the Audience

_____ This agenda item was taken out of order.

Chairman Giuliano noted that we have a timer to assist the public with their presentations, which have a three minute time limit. When two minutes have elapsed, the yellow light will come on notifying the speaker that they have one minute to sum up. He said that at the end of the three minute time period, the red light will come on. Members of the audience who wish to speak fill out a card and give it to the MAG staff who will bring it to the Chairman.

Chairman Giuliano stated that public comment is provided at the beginning of the meeting for non-agenda items and for consent items. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually.

He indicated that for the action items on the agenda, public comment will be taken when the item is heard. Public comments are limited to three minutes.

Chairman Giuliano recognized public comment from Dianne Barker, who thanked Mr. Driggs for the transit tickets. Ms. Barker commented that the Arizona Republic, a participant in the trip reduction program, also supply assistance with transit passes. She stressed the importance of all jurisdictions to participate and be multi-modal. Chairman Giuliano thanked Ms. Barker for her comments.

Chairman Giuliano recognized public comment from Blue Crowley, who stated that he could not comment on agenda items not designated for action. He expressed that he felt that the Valley Vision 2025 process should be opened up. He indicated that he would serve on the transportation subcommittee. Chairman Giuliano thanked Mr. Crowley for his comments.

3. Approval of the April 28, 1999 Meeting Minutes

Since a quorum was now present, Chairman Giuliano asked for a motion to approve the minutes of the April 28, 1999 meeting.

Mayor Dallas Gant moved, Mayor Sam Campana seconded, and it was unanimously carried to approve the April 28, 1999 Regional Council meeting minutes.

5. Executive Director's Report

James M. Bourey stated that checks from the payments from assessments not used for the 1995 Special Census were mailed to member agencies last week.

Mr. Bourey stated that he would provide an update on significant events affecting our air quality conformity. On April 29, 1999, the FHWA reconfirmed approval of our 1998 Air Quality Conformity finding for the TIP and LRTP. Mr. Bourey noted that approximately 20 regions, such as Los Angeles, Atlanta, and Nashville, cannot proceed with their transportation projects, because their air quality conformity plans have lapsed. Mr. Bourey expressed thanks to the FHWA, who put forth a great amount of effort in resolving the conformity issue. Mr. Bourey stated that, on May 6, 1999, the Arizona Legislature passed bill 2254 to extend the sunset on the Vehicle Emissions Program to 10 years. He stated that the Governor's office and ADOT were helpful in the passage of the bill. Mr. Bourey mentioned that a special Regional Council meeting will be held on June 9, 1999. The purpose of the meeting is to act on the TIP, LRTP and air quality conformity analysis.

Mr. Bourey stated that we are awaiting word that we may receive \$300,000 from the FAA to complete Phases 1 and 2 for the update of the Regional Aviation System Plan. He indicated that the FAA originally had to obligate the funds by the end of May. The obligation date was extended to August so we will probably not know about the grant for several more months.

Mr. Bourey stated that Transportation Enhancement Funds are available. He encouraged the members to be active on submitting applications for their projects.

Mr. Bourey stated that consideration is being given to host the Governor's Vision 21 Transportation Task Force at an informational event at MAG.

Mr. Bourey stated that the Annual Desert Peaks Awards dinner will be held June 23, 1999. he expressed thanks to the Awards judges, Representative Carolyn Allen, Grady Gammage, Bob Hollis, John Meunier, Sara Moya, and Jackie Vieh.

Mr. Bourey introduced Corey Cox, the new Regional Development Manager. He stated that Ms. Cox worked at the City of Phoenix for 11 years and is familiar with Growing Smarter. Ms. Cox received her Bachelor's degree in Geography and her Master's in Public Administration from ASU.

Chairman Giuliano thanked Mr. Bourey for his report and asked if there were any questions.

6. Approval of Consent Agenda

Chairman Giuliano stated that agenda item #7 is on the consent agenda.

Councilmember Eugene Russell moved, Bill Beyer seconded, and it was unanimously carried to approve consent agenda item #7.

7. Consultation on Revised Processes for the 1999 Conformity Analysis

Federal and state conformity regulations require that MAG consult with federal, state and local air quality and transportation agencies on methodologies proposed for the conformity analysis on the transportation program and plan. The proposed methodologies to be applied in the 1999 Conformity Analysis were provided for consultation in February 1999.

On March 2, 1999, the U.S. Court of Appeals in the District of Columbia issued an opinion in the transportation conformity lawsuit, Environmental Defense Fund v. Environmental Protection Agency,

which resulted in changes to the federal conformity rule that requires corresponding changes in the methodology to be applied in conformity analyses prepared across the nation.

As a result, MAG distributed the revised methodology applied in the conformity analysis of the MAG 2000-2004 Transportation Improvement Program (TIP) and the MAG Long Range Transportation Plan Summary and 1999 Update (LRTP). Comments regarding this material, were requested by May 26, 1999.

8. Valley Vision 2025 Update

Mr. Bourey stated that Valley Vision Process Milestones and the vision framework proposal by Collaborative Economics is at each place. He stated that this information will be presented to the full Valley Vision 2025 Committee on June 2, 1999. Chairman Giuliano stated that the framework contains excellent information and encouraged members to read the proposal. He said that, as a result of the collaboration, MAG is not singularly working on the effort.

Mayor Tibshraeny asked if there is a revised time frame for completion of the project. Mr. Bourey replied that a completion by the end of the year is anticipated, the same as the original projection. Mayor Tibshraeny asked if any private sector contributions have been received. Mr. Bourey replied that no contributions have yet been solicited. Mayor Tibshraeny expressed concern over using additional public money if the private sector does not contribute. Chairman Giuliano stated that the private sector does need to become engaged in the vision.

9. Revisions to the Existing Planning and Programming Processes

Mr. Bourey stated that because of the changes to the planning and programming responsibilities resulting from ISTEA and TEA-21, ADOT hosted a meeting of regional planning organizations throughout Arizona to suggest changes that would benefit the planning and programming processes throughout Arizona. This meeting, attended by approximately 35 people, included Mary Peters, ADOT Director, and representatives from MPOs, COGs, and RPTA, and facilitated by Harry Reed, was held in Casa Grande the end of April 1999. Mr. Bourey stated that the Regional Council Transportation Subcommittee and the Executive Committee have been updated on the revisions to the processes. Showing a slide of the regional planning districts in Arizona, Mr. Bourey stated that the Governor created these districts in 1970 to organize regional planning on a statewide basis. In 1973, MAG was designated by the Governor as a Metropolitan Planning Organization (MPO). Mr. Bourey said that MPOs ensure involvement of local elected officials and comprehensive and cooperative planning in urban areas over 50,000 in population. Mr. Bourey stated that MAG was designated as a TMA with the passage of ISTEA in 1991. Federal regulations stated that urbanized areas over 200,000 are designated TMAs and include local elected officials, officials administering or operating major modes of transportation, and state officials.

Mr. Bourey outlined the guiding principles of a new planning and programming process.

- One multi-modal transportation planning process for each region that is seamless to the public; includes early and regular dialogue and interaction at the state and regional level; and recognizes the needs of state, local and tribal governments, and regional organizations.

- Process that encourages early and frequent public participation and stakeholder involvement and that meets the requirements of TEA-21 and other state and federal planning requirements.
- The policy and transportation objectives of the state, regional and local plans will form the foundation of the Statewide Long Range Transportation Plan.
- The Statewide Transportation Plan and Programs will be based on clearly defined and agreed to information and assumptions including the resources available, performance measures, and other technical information.
- Each project programmed shall be linked to the Statewide Long Range Transportation Plan with each project selected to achieve one or more of the Plan objectives, and the program represents an equitable allocation of resources.
- Implementation of the Plan and Program shall be monitored using a common database of regularly updated program information and allocations.
- There is a shared responsibility by state, local and tribal governments, and regional organizations to ensure that Plan and Program implementation meets the transportation needs of the people of Arizona.

Dennis Smith displayed a timeline of transportation planning milestones. He noted that, starting in 1956, the development of an interstate highway system began with the passage of the Federal Aid Highway Act. The Federal Highway Act in 1962 required regional planning and the Metropolitan Development Act in 1965 provided the impetus for MAG to be formed in 1967. Regional Planning Districts were formed in 1970, followed by the passage of the Federal Transportation Act in 1973, when MAG was designated as MPO. He explained that in 1978, MAG was designated as Lead Air Quality Planning Agency. When it was determined that the freeway system could not be completed without an additional source of funding, Proposition 300 was passed in 1985 and MAG defined the plan and priorities. Conformity was required by the Clean Air Act Amendments in 1990. ISTEA legislation passed in 1991 and MAG was designated one of the two TMAs in Arizona. Mr. Smith noted that prior to ISTEA, we received only \$10 million per year, then \$40 million after the legislation. He noted that following the implementation of Proposition 300, the economy went into a recession and reforms in the freeway programming process were recommended. These recommendations were part of a performance audit conducted on ADOT and MAG, resulting in legislation being passed in 1992 that clearly stated that MAG set priorities, approve cost changes, and issue an annual report. He indicated that, with the passage of TEA-21 legislation, MAG and ADOT would cooperatively develop funding estimates for the region. Mr. Smith indicated that the timeline illustrates that we must adapt to constant changes and that the process developed by ADOT to build the interstate system needed to be re-directed to address urban challenges. The revised programming process developed in a meeting hosted by ADOT was more of a regionally-based process that would reflect the specific needs of the region. Mr. Smith reviewed how the funding estimates would be decided through a consensus process.

Mr. Smith stated that the flow chart presented to the Regional Council Transportation Subcommittee and the Executive Committee has been revised and simplified and displayed the new version. Mr. Smith indicated that one consistent process should be followed by all. He explained that the flow chart shows how MAG, ADOT, and transit agencies participate in early joint involvement. Mr. Smith summarized the steps taken in the proposed planning process until the TIP receives final approval from the Governor.

Mary Peters, ADOT Director, stated that a lot of progress was made at Casa Grande. She noted that the guiding principles will help the multi-modal plan. Ms. Peters indicated that the process will continue to be refined throughout the coming year. She mentioned that the Resource Allocation Advisory Committee meeting is being arranged. Ms. Peters expressed thanks for everyone's hard work and cooperation in achieving these processes. Chairman Giuliano expressed appreciation for the efforts of Ms. Peters, Mr. Bourey and their staffs. He commented that the steps taken are both significant and positive.

10. Draft FY 2000 MAG Unified Planning Work Program and Annual Budget

Chairman Giuliano recognized public comment from Blue Crowley, who stated that agenda items #8, #9, and #10 are interrelated. Mr. Crowley stated that CTOC and the Governor's Vision 21 Task Force will attend the June 1, 1999 Open House and Public Hearing. He commented that an interconnect between CTOC, Valley Vision 2025, and the Governor's Vision 21 is not being done. He commented on the \$250,000 for consultants. Chairman Giuliano thanked Mr. Crowley for his comments.

Art Rullo stated that each year MAG develops a Unified Planning Work Program and Annual Budget for the coming year. The purpose of this document is to outline the Regional Council's policy direction and fiscal commitments in the agency's regional planning efforts. The FY 2000 Unified Planning Work Program and Annual Budget represents the second year that the annual work program and budget are combined into one consolidated and integrated document. He indicated the FY 2000 budget of \$9,382,687 is balanced and represents a 1.41 percent increase over the amended FY 1999 budget. For FY 2000, the member dues and assessments were adjusted to reflect population growth and inflation. The proposed member dues for FY 2000 are \$156,711. The proposed assessments for FY 2000 are: solid waste planning (\$30,137), water quality planning (\$72,328) and 911 planning (\$37,178). New for FY 2000 are proposed assessments for human services planning (\$56,000) and the 208 Water Quality Plan Update (\$250,000). Mr. Rullo stated that we are waiting for word on two outstanding grants, a \$300,000 grant from FAA and a \$30,000 grant from ADEQ. Mr. Rullo showed a presentation using pie charts to illustrate sources of funding and expenditures by program and line item. He indicated that hourly time allocations, line items, in-kind by agency, and the property capital outlay plan have been added to this year's UPWP. The budget will be submitted to GFOA.

Mayor Bill Arnold moved, Mayor Tom Augherton seconded, and it was unanimously carried to approve the resolution adopting the FY 2000 MAG UPWP and Annual Budget and dues and assessments.

11. Approval of the Recommendations for the MAG Regional Plan on Domestic Violence

Tom Canasi, Social Services Administrator from Tempe and the Chairman of the MAG Human Services Technical Advisory Committee, expressed appreciation to Phoenix Councilmember Cody Williams, Goodyear Mayor Bill Arnold, the various committee members and MAG staff for the work involved in developing the plan. Mr. Canasi stated that there are no borders to prevent domestic violence. In May 1998, the Regional Council approved the development of a regional plan on domestic violence. The MAG Human Services Coordinating Committee formed a subcommittee to guide the development of the Plan and working groups were formed to work on specific elements of the Plan. The domestic violence planning process produced a safety plan for general distribution and a local government resolution adopted by the League of Cities and Towns. Approximately 150 stakeholders participated in developing 41 recommendations on prevention/early intervention, crisis and transitional

response, system coordination and long term response. These recommendations provide a comprehensive coordinated community response to domestic violence in the Valley. Mr. Canasi stated that over 150,000 copies, in both English and Spanish, of the domestic violence safety plan brochure have been distributed.

Mr. Canasi stated that in 1998, 39 deaths resulted from domestic violence situations. In 1997, almost 100,000 domestic violence calls were made in Maricopa County, which works out to one call every 5 minutes. Mr. Canasi noted that 2,271 women and children received shelter in 1998, but 14,397 were turned away. He commented that domestic violence impacts the stability of families and neighborhoods, the learning ability of children, the resources for police, fire, human services, and courts, and costs to business.

Mr. Canasi showed a video taped at the public hearing on March 23, 1999, of a domestic abuse victim, who commented on the lack of protection and opportunities for escape.

Mr. Canasi stated that local and national best practices were examined and incorporated. The 41 recommendations were given in the areas of prevention and early intervention, crisis and transitional response, long term response, and system coordination and evaluation. He commented that victimless prosecution is recommendation #18. Maricopa County protocols using 911 tapes, photographs and videotapes allow a perpetrator to be prosecuted without court testimony of the victim.

Mr. Canasi stated that the plan needs to be implemented by creating a coordinating body to bring stakeholders together, continue utilizing current plan participants, and develop a regional coordinating body with a dedicated staff person. Mr. Canasi stated that there would be a media campaign to educate the community that domestic violence is a crime. Mr. Canasi explained the campaign would be somewhat similar to the drunk driving awareness campaigns.

Mr. Canasi stated that review and comments of the plan are requested. Comments from the public hearing held on March 23, 1999 are being incorporated into the plan. Mr. Canasi stated that the public hearing was taped by Channel 11 and broadcast on many government access channels. He expressed thanks to Channel 11 for taping the hearing. Mr. Canasi thanked Phoenix Councilmember and Chairman of Domestic Violence Subcommittee of the Human Services Technical Committee Cody Williams, to Mayor Bill Arnold of Goodyear, to Karin Bishop of Valley of the Sun United Way, Laura Gill of the Department of Economic Security, and Wayne Tormala from the City of Phoenix Human Services Division for their efforts on the plan. Chairman Giuliano thanked Mr. Canasi for his report and asked if there were any questions.

Governor Thomas stated that the public needs direction and education on domestic violence. She indicated that tougher laws need to be enacted for the punishment of the crime of domestic violence. Governor Thomas spoke about a recent domestic violence situation in her community. The perpetrator, who killed a family member, would receive a sentence of only two years if found guilty.

Mayor Morales stated that he attended a groundbreaking for a new shelter in Goodyear. Phoenix Councilmember Phil Gordon spoke at the groundbreaking and indicated that even though more shelters are being built, victims are still being turned away. Mayor Morales indicated that for every person admitted to a shelter, four to six are turned away. Mayor Morales spoke of the domestic violence situation in which he was a victim. He commented that delays in prosecuting these perpetrators are too lengthy.

Mayor Scruggs stated that she visited the New Life Shelter in Litchfield Park in April. The residents stated that their number one concern is the judicial system. Mayor Scruggs commented that many victims are set up for failure in escaping their abusive situations when they are transitioning from the shelter to a life on their own. Mayor Scruggs suggested that resources, such as databases of bus routes and after school day care, need to be provided for shelters so victims so have a chance to succeed.

Chairman Giuliano asked for a motion to approve the recommendations for the MAG Regional Plan on Domestic Violence. Mayor Bill Arnold moved, Supervisor Don Stapley seconded, and it was unanimously carried.

Chairman Giuliano stated that this is the last meeting for two Regional Council members, Mayor Hugh Stevens from Carefree and Mayor Tom Augherton from Cave Creek.

Mayor Stevens stated that he has enjoyed serving on the MAG Regional Council. He remarked that he will continue to serve the public. Mayor Stevens said he has been asked to serve on the Foothills Community Foundation for Water Resources. He expressed thanks to all the members and said it had been a pleasure.

Mayor Tom Augherton stated that it is very important for a small community to be included in the decision making process. He remarked that the MAG staff is very professional and sets a very high standard in their courtesy and quality of work. Mayor Augherton expressed thanks to Chairman Giuliano, Mayor Scruggs, Mayor Rimsza, and Supervisor Stapley for their assistance to himself and Cave Creek. Mayor Augherton stated that it has been a privilege to be a Regional Council member.

Chairman Giuliano announced that a progressive dinner in Suite 300 upstairs would be held for the members of the Regional Council and their staff who have confirmed their dinner reservations.

There being no further business, the meeting was adjourned at 6:35 p.m.

Chairman

Secretary